

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

DANIEL DeNARDO,

Plaintiff,

vs.

MUNICIPALITY OF ANCHORAGE,
et al.,

Defendants.

Case No. 3:04-cv-00269-RRB

ORDER GRANTING
APPLICATION TO WAIVE
THE FILING FEE ON APPEAL

Daniel DeNardo, representing himself, has filed a notice of appeal, and an amended application to waive the filing fee on appeal.¹ Because the appeal appears to be taken in good faith under 28 U.S.C. § 1915(a)(3),² and Mr. DeNardo's amended application shows that he cannot afford to pay the appellate filing fee, his application will be granted.

¹ See Docket Nos. 41, 44.

² See *Hooker v. American Airlines*, 302 F.3d 1091, 1092 (9th Cir. 2002) ("If at least one issue or claim is found to be non-frivolous, leave to proceed in forma pauperis on appeal must be granted for the case as a whole.").

IT IS HEREBY ORDERED that:

Mr. DeNardo's amended application to waive the filing fee on appeal, at docket number 44, is GRANTED.

DATED this 27th day of July, 2006, at Anchorage, Alaska.

/s/RALPH R. BEISTLINE
United States District Judge